IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TYLER DIVISION

SMARTFLASH LLC and SMARTFLASH TECHNOLOGIES LIMITED,)))
Plaintiffs,)
v.) Civil Action No. 6:13-cv-447
APPLE INC., ROBOT ENTERTAINMENT, INC., KINGSISLE ENTERTAINMENT, INC., and GAME CIRCUS LLC,)))
Defendants.)

- I, Megan F. Raymond, hereby declare as follows:
- I am an attorney admitted to practice in the State of Massachusetts and the District
 of Columbia. I am admitted *pro hac vice* to this Court. I am an associate at the law firm of
 Ropes & Gray LLP. Ropes & Gray LLP is counsel for Defendant Apple Inc.
 - 2. I submit this declaration in support of Apple's Motion to Sever.
- Unless otherwise stated as being on information and belief, the facts stated in this declaration are based on my personal knowledge.
- 4. Attached as Exhibit 1 is a true and correct copy of the iTunes preview for Hero Academy, available at https://itunes.apple.com/us/app/hero-academy/id488156323?mt=8 and downloaded on September 15, 2013.

- 5. Attached as Exhibit 2 is a true and correct copy of Robot's "Hero Academy" webpage, available at http://www.robotentertainment.com/games/heroacademy/ and downloaded on September 13, 2013.
- 6. Attached as Exhibit 3 is a true and correct copy of the iTunes preview for Grub Guardian, available at https://itunes.apple.com/us/app/grub-guardian/id498330099?mt=8 and downloaded on September 13, 2013.
- 7. Attached as Exhibit 4 is a true and correct copy of the WizardBlox webpage, available at www.wizard101.com/game/iphone and downloaded on September 13, 2013.
- 8. Attached as Exhibit 5 is a true and correct copy of the iTunes preview for WizardBlox, available at https://itunes.apple.com/us/app/wizardblox/id354052015?mt=8 and downloaded on September 13, 2013.
- 9. Attached as Exhibit 6 is a true and correct copy of the iTunes preview for Coin Dozer Pro, available at https://itunes.apple.com/us/app/coin-dozer-pro/id396825331?mt=8 and downloaded on September 13, 2013.
- 10. Attached as Exhibit 7 is a true and correct copy of the iTunes preview for Coin Dozer Halloween, available at https://itunes.apple.com/us/app/coin-dozer-halloween/id396254497?mt=8 and downloaded on September 13, 2013.
- Attached as Exhibit 8 is the In-App Purchase Programming Guide: Introduction,
 available at

https://developer.apple.com/library/ios/documentation/NetworkingInternet/Conceptual/StoreKit Guide/Introduction/Introduction.html and downloaded on September 15, 2013.

12. Attached as Exhibit 9 is the In-App Purchase Programming Guide: Overview of In-App Purchase, available at

developer.apple.com/library/ios/documentation/NetworkingInternet/Conceptual/StoreKitGuide/APIOverview/OverviewoftheStoreKitAPI.html#//apple_ref/doc/uid/TP40008267-CH100-SW1 and downloaded on September 15, 2013.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 17, 2013

s/Mlga 4. Kapa Megan F. Raymond Ropes & Gray LLP

701 12th St. NW Suite 900 Washington, D.C. 20004

megan.raymond@ropesgray.com

(202)508-4600